

Message Text

SECRET

PAGE 01 SAIGON 19928 261303Z

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ACTION SS-30

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R 260636Z NOV 73

FM AMEMBASSY SAIGON

TO SECSTATE WASHDC 9301

SECDEF WASHDC

S E C R E T SAIGON 19928

EXDIS

E.O. 11652: GDS

TAGS: MILI, VS

SUBJ: SUPERVISION OF WAR MATERIALS ENTERING SVN UNDER PARIS AGREEMENT

REFS: (A) STATE 227048; (B) SAIGON 19252; (C) SECDEF 6670

08 NOV 1973

1. REF (A) MAKES POINT THAT THERE IS NO ADVANTAGE TO OUR ASSERTING OUR UNWILLINGNESS TO SUBMIT TO ICCS INSPECTION PUBLICLY, OR PRIVATELY TO THIRD PARTIES. WE AGREE. WE DID NOT RECOMMEND THIS COURSE. POINT WE WERE MAKING IN REF (B) IS THAT, WHILE WE ARE OF COURSE READY TO ACCEPT ICCS INSPECTION IN THE MANNER SET FORTH IN THE PARIS AGREEMENT, WE WOULD BE UNWILLING TO SUBMIT TO INSPECTION WHILE THE COMMUNISTS REJECTED IT. SUCH UNILATERAL INSPECTION WAS NEVER ENVISAGED BY THE PARIS AGREEMENT AND WOULD OF COURSE BE UNACCEPTABLE TO THE GVN AS WELL AS OURSELVES.

2. ANOTHER POINT WE WERE MAKING IS THAT PUBLIC STATEMENT THAT "AMERICAN MILITARY RESUPPLY IS OPEN TO ICCS INSPECTION" REF (A) PARA 1 IS MISLEADING IF IT LEAVES THE IMPRESSION THAT ICCS IS ACTUALLY INSPECTING OUR SHIPMENTS IN ACCORDANCE WITH ARTICLE 7. THE ICCS IN FACT HAS NEVER OFFICIALLY INTERESTED ITSELF IN THIS MATTER CANADIAN ACTIVITIES DESCRIBED REF (B) PARA 3 WERE WITHOUT ICCS SANCTION AND HAS NEVER ASKED FOR ACCESS TO OUR SHIPMENTS. UNFRIENDLY CRITICS COULD WE THINK USE STATEMENTS OF THIS KIND TO ACCUSE US OF BEING LESS THAN CANDID ABOUT OUR MILITARY RESUPPLY OF THE GVN.

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3. WE BELIEVE OUR PUBLIC POSTURE IN THIS MATTER SHOULD BE:

(A) THE U.S. IS COMPLYING FULLY WITH ARTICLE 7 DESPITE LACK OF ICCS AND TPJMC INSPECTION; (2) WE HAVE KEPT INTERNAL RECORDS WHICH WOULD SHOW OUR FULL COMPLIANCE WITH THE PIECE-FOR-PIECE REPLACEMENT PROVISION OF ARTICLE 7; (3) THE REASON THAT NEITHER ICCS NOR TPJMC IS INSPECTING OUR ARMS SHIPMENTS IS THE FAILURE OF COMMUNISTS TO DO THEIR PART IN NAMING POINTS OF ENTRY AND ESTABLISHING INSPECTION PROCEDURES, AS CALLED FOR UNDER THE PARIS AGREEMENT AND THE JOINT COMMUNIQUE.

4. IF THE ICCS SHOULD OFFICIALLY ASK TO INSPECT OUR SHIPMENTS WE BELIEVE WE SHOULD STATE OUR WILLINGNESS TO DO SO, BUT ONLY (REPEAT ONLY) ON A COMPLETELY RECIPROCAL BASIS. THIS CONTINGENCY IS HOWEVER REMOTE AND, IF ASKED BY THE PRESS HOW WE WOULD REACT TO SUCH AN ICCS REQUEST, WE AGREE THAT WE SHOULD SAY THAT WE WOULD REVIEW OUR POLICY AT THE TIME. REF (A) PARA 2.
MARTIN

SECRET

NNN

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